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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Manichanh Sitivong,

Plaintiff,

v.

United States of America; DOES I through
X, inclusive; ROE BUSINESS ENTITIES, I
through X, inclusive,

Defendants.

Case No. 2:22-cv-00169-APG-BNW

**Stipulation and Order to Amend
Discovery Plan and Extend Deadlines**

(Third Request)

Pursuant to Local Rules IA 6-1 and 26-4, Plaintiff, Manichanh Sitivong, and Defendant, United States of America, through counsel, submit the following Stipulation to Extend Deadlines 30 days. This is the third request for an extension of case deadlines. This stipulation is being submitted 15 days prior to the next discovery deadline.

A. Discovery Completed:

1. The parties have exchanged Rule 26(a) disclosures and supplemented their disclosures.
2. Defendant continues to send out subpoenas and receive medical records from Plaintiff's medical providers.
3. Plaintiff was deposed on August 25, 2022.
4. Special Agent Jae Carlton Beasley was deposed on October 18, 2022.

1 5. Plaintiff served written discovery on October 17, 2022.

2 6. Plaintiff took the investigating officer's deposition on November 18, 2022.

3 7. The parties have designated experts and served initial expert reports.

4 **B. Discovery Remaining:**

5 1. The parties may serve additional written discovery, third-party subpoenas, and
6 plan to conduct depositions of Plaintiff's treating medical providers and others.

7 2. The parties will continue to supplement their initial disclosures.

8 3. In addition, the parties will designate and depose retained and non-retained
9 medical experts, if applicable.

10 4. Depositions of designated experts.

11 5. Continued production of additional medical records and billing.

12 **C. Need for Extension of Discovery Plan:**

13 The current 30-day extension is being sought to allow the parties sufficient time to
14 schedule and conduct the depositions of the parties' respective experts. Due to scheduling
15 conflicts of various experts, the parties will be unable to schedule and conduct the depositions
16 within the current discovery plan and scheduling order. Therefore, an extension will provide
17 the parties the necessary time to complete discovery in this case.

18 Respective counsel for the parties have a good working relationship and have
19 discussed this request and are in agreement that an additional 30-days is appropriate. This
20 additional time will also allow the parties sufficient time to continue to conduct discovery.

21 **D. Proposed New Discovery Schedule:**

22 1. **Discovery Cutoff Date:** Discovery cutoff is currently scheduled for March 31,
23 2023, and will be extended to **April 30, 2023**.

24 2. **Expert Disclosures:** Rebuttal expert disclosures currently due March 3, 2023, will
25 be extended to **April 3, 2023**.

26 3. **Dispositive Motions:** Dispositive motions currently due May 1, 2023, will be
27 extended to **May 30, 2023**, which is the first weekday 30 days after discovery cutoff.

1 **4. Pre-Trial Order:** A Joint Pretrial Order shall be filed by **June 29, 2023**, which is
2 30 days after the deadline for filing dispositive motions. However, if any dispositive motions
3 are filed, the Joint Pretrial Order shall be due 30 days after decision on such motion(s).
4 Disclosures under Fed. R. Civ. P. 26(a)(3) and any objections thereto shall be included in the
5 Joint Pretrial Order.

6 Respectfully submitted this 10th day of February 2023.

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IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

DATED: February 13, 2023